

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

1) GO MART, INC.,	)	
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	5:14-cv-1234-M
	)	
1) EMPLOYERS MUTUAL CASUALTY	)	
COMPANY, et al.,	)	
	)	Cleveland County
Defendants.	)	Case No. CJ-2014-607

**NOTICE OF PENDING MOTION TO DISMISS OF THE DEFENDANT  
ED BERRONG INSURANCE AGENCY, INC., APPEARING SPECIALLY**

COMES NOW, the Defendant, Ed Berrong Insurance Agency, Inc., appearing specially, and, pursuant to LCvR 81.2(b), Local Rules of the United States District Court for the Western District of Oklahoma, gives notice of its Special Appearance and Motion to Dismiss which was pending before the District Court of Cleveland County, State of Oklahoma, at the time this action was removed to this Court. Attached hereto are the following documents:

1. Special Appearance and Motion to Dismiss of the Defendant Ed Berrong Insurance Company, Inc., and Brief in Support, filed in the District Court of Cleveland County, State of Oklahoma, October 3, 2014;
2. Plaintiff's Response to Defendant Ed Berrong Insurance Company, Inc.'s Motion to Dismiss, filed in the District Court of Cleveland County, State of Oklahoma, October 20, 2014; and
3. Defendant's Reply to Plaintiff's Response to Its Motion to Dismiss, filed in the District Court of Cleveland County, State of Oklahoma, October 31, 2014.

WHEREFORE, premises considered, the Defendant, Ed Berrong Insurance Agency, Inc., appearing specially, prays the Court to grant the attached motion, pending before the District

Court of Cleveland County, State of Oklahoma, at the time of removal, and to dismiss it as a party to this action.

Respectfully submitted,

**SECREST, HILL, BUTLER & SECREST**

By: s/ Edward J. Main  
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ATTORNEYS FOR DEFENDANT,  
ED BERRONG INSURANCE AGENCY, INC.

**CERTIFICATE OF MAILING**

This is to certify that on this 14<sup>th</sup> day of November, 2014, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a notice to the following ECF registrants:

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This is to certify that on this 14<sup>th</sup> day of November, 2014, I placed in the U.S. Mail, the foregoing document to the following non-ECF registrants:

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s/ Edward J. Main \_\_\_\_\_